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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 JAMES GARNER,

12 Petitioner,

13 v.

14 RALPH DIAZ,

15 Respondent.  
16

No. 2:20-cv-2143 DB P

ORDER

17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas  
18 corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis  
19 affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner  
20 will be provided the opportunity to either submit the appropriate affidavit in support of a request  
21 to proceed in forma pauperis or submit the appropriate filing fee.

22 In accordance with the above, IT IS HEREBY ORDERED that:

23 1. Petitioner shall submit, within thirty days from the date of this order, an affidavit in  
24 support of his request to proceed in forma pauperis or the appropriate filing fee; petitioner's  
25 failure to comply with this order will result in a recommendation that this action be dismissed;  
26 and

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1           2. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis  
2 form used by this district.

3 Dated: May 10, 2021

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7 DEBORAH BARNES  
8 UNITED STATES MAGISTRATE JUDGE  
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11 DB:14  
12 DB:1/Orders/Prisoner/Habeas/R/garn2143.101a  
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